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TAGS: [PHUM](#) [PGOV](#) [ASEC](#) [CASC](#) [IN](#)

SUBJECT: RAJ THACKERAY OUT ON BAIL, GOVERNMENT OF MAHARASHTRA PLANS
FINES FOR PROPERTY DAMAGE DURING POLITICAL PROTEST

REF: MUMBAI 505

11. (U) Summary: Facing multiple criminal charges across Maharashtra stemming from October 19 attacks against North Indian candidates for the Indian Railway exam by his Maharashtra Navnirman Sena supporters, Raj Thackeray appealed to the Sessions Court and was granted preemptory bail and an order directing that all cases be combined into one action against him. Thackeray walked free at 4:55 on October 22. In the wake of Thackeray's arrest on October 21, many areas of Maharashtra were vandalized and riots broke out despite curfew orders. Mumbai has been relatively since the 22nd. The American School closed as a precautionary measure on the 22nd. Legal maneuvering is likely to continue as the state looks for ways to prevent Thackeray from inciting violence against north Indians. End Summary.

12. (U) Controversial Maharashtra leader Raj Thackeray of the Maharashtra Navnirman Sena (MNS) Party was released on bail from the court in the northern Mumbai suburb of Bandra late on October 21, on the ground that he was not a direct participant in the attacks on the north Indians on October 19. He was immediately arrested on charges filed against him in a court in Kalyan, in the Thane Rural District of Maharashtra approximately 50 kilometers northeast of Mumbai. The Government of Maharashtra pursued a calculated strategy of registering a series of cases against Thackeray across the state to keep him in custody even if granted bail by the courts. As he was released on bail in Kalyan late the 22nd, Railway police and Thane police stood ready with arrest warrants, but they were thwarted from executing the warrants as Thackeray's lawyers had obtained an order from the Sessions Court granting preemptory bail on all pending charges and ordering that the cases related to the October 19 attacks be combined. Thackeray walked free from the court in Kalyan at 4:55 pm on October 22.

13. (U) Post distributed a warden message the evening of October 21 warning Americans to avoid large crowds and exercise caution in the vicinity of areas of unrest. Traffic in Mumbai flowed smoothly on the 22nd as taxis and many auto drivers stayed home in fear of continued violence. The American School of Bombay closed on the 22nds as a precautionary measure, as did its neighbor the Ambani International School, but classes resumed on the 23rd.

14. (U) Government of Maharashtra passed an ordinance on October 22, authorizing the collector, a senior bureaucrat, of each district to fine any political organization that causes destruction of public property in the course of its protests. The agitation over Thackeray's arrest on October 20 reportedly led to destruction of or damage to 250 to 350 cabs, 115 city buses and many private vehicles in Mumbai alone on October 21; 200 buses of Maharashtra state transport corporation were damaged throughout the state. According to Anami Roy, chief of Maharashtra police, 125 cases of arson, rioting and stone throwing were registered on October 21 and 2,085 people were arrested. A curfew was declared in Kalyan, yet over 1,000 MNS supports assembled outside the courthouse, demonstrating

complete lack of regard for the law. The mob grew violent, throwing stones, burning four bikes and a car.

¶15. (U) According to reliable but un-confirmed print media reports, four youths (two from Uttar Pradesh and two from Maharashtra) died in rioting between MNS and north Indian migrants the evening of October 21, in the northern suburb of Kalyan where Thackeray was held in police custody. Police refused comment on this statistic.

¶16. (U) Thackeray's arrest generated predictable reactions across the political spectrum in the Indian parliament on October 21 and 22. Rashtriya Janata Dal and Samajwadi Party -- representing the north Indian migrants in Maharashtra, said that Thackeray's arrest was too little too late and demanded sterner action. Regional parties, Shiv Sena and the Biju Janata Dal of Orissa pointed out that the objection raised by MNS regarding cornering of jobs in the Indian Railways by residents of Bihar had led earlier to mass agitations (and attacks on North Indian candidates appearing for recruitment tests) in Karnataka, Orissa, and Punjab. These parties alleged that Indian Railway Minister Lalu Prasad Yadav skewed hiring policies to benefit youth from his home state. These parties maintained that a system of preferential hiring for local residents for the jobs in that particular state must evolve to stave off future agitations. The BJP spokesperson Sushma Swaraj alleged that lack of stern action against Thackeray was calculated Congress-Nationalist Congress party strategy to fracture the vote-base of opposition parties in Maharashtra.

¶17. (U) Comment: The strategy of the Congress-led Government of Maharashtra to keep Thackeray immobilized until the current parliamentary session ends on October 24 was foiled by Thackeray's successful appeal to the Sessions Court. It is too

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early to say if north Indians will protest Thackeray's release, but post anticipates a respite in the violence for the time being. End comment.
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